

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

RUNNEL LEE RILEY and  
IVONNE SUHAY-RILEY,

06-CV-1152 MCA/WDS

Plaintiffs,

v.

EQUIFAX INFORMATION SERVICES LLC; and  
TRANS UNION LLC,

Defendants.

**ORDER ON PLAINTIFFS' MOTIONS TO COMPEL**

The Court considered Plaintiffs' Motions to Compel discovery from defendants Trans Union and Equifax (DKT #s 53 and 61), the materials filed in support thereof, Defendants' responses thereto, and the argument and compromises of the parties made at the hearing before this Court on July 5, 2007.

**IT IS HEREBY ORDERED:**

1     Identity/Depositions of Operators: Trans Union shall provide Plaintiffs with the names, addresses, telephone and fax numbers of counsel for Intelenet and LexisNexis and Equifax shall provide the name, address, telephone and fax number of counsel for Convergys and DDC, by August 2, 2007. Also, Trans Union and Equifax shall cooperate with Plaintiffs in the setting up of telephone depositions of any operators who handled Plaintiffs' disputes.

2     Similar claims: Equifax shall provide Plaintiffs a list of the post-discharge dispute lawsuits that it prepared for production in a class action lawsuit by August 2, 2007. Plaintiffs retain the right to seek further relief from the Court on this issue if the list does not go back five years. Trans Union shall produce a list of currently pending lawsuits that involve allegations like

those made by Plaintiffs related to the reporting of accounts included in bankruptcy following the discharge of the consumer's bankruptcy, by August 2, 2007.

3        Frozen scans: Equifax shall produce to Plaintiffs frozen scans for Runnell Riley for September 2005 and November 2005, by August 2, 2007.

4        Policy and Procedure Manuals: Equifax shall produce to Plaintiffs unredacted copies of its policy and procedure manuals, which were previously produced as redacted, by August 2, 2007. These documents are deemed confidential under the Protective Order which was entered previously by the Court (DCT #79).

5        Policies related to Clark litigation: Plaintiffs may inquire about any effect on post-discharge dispute policy caused by changes that resulted from the *Clark* litigation at the depositions of Equifax's 30(b)(6) representative.

6        Studies of Time and Cost of Reinvestigations: Equifax shall attempt to locate the documents described by Plaintiff's counsel that were produced in *Apodaca v. Discover Financial Services, et al.*, No. 04-CV-717 (D. N.M.), and determine if the same are available for 2006. If so, Equifax shall produce the 2006 time and cost documents by August 2, 2007.

7        Prior Depositions/Testimony of Witnesses: The Court finds that Plaintiffs' request for prior depositions and trial testimony of Equifax's and Trans Union's witnesses is unduly burdensome. Equifax and Trans Union need not produce deposition or trial transcripts concerning the prior testimony of their witnesses in other Fair Credit Reporting Act lawsuits. However, Plaintiffs may inquire about the prior testimony of Equifax's and Trans Union's witnesses at the depositions of Equifax's and Trans Union's 30(b)(6) representatives.

8      Net Worth: Equifax and Trans Union shall provide a statement of their net worth within ten days of any decision by the Court on a dispositive motion allowing the Plaintiffs' claim for punitive damages to go forward, or within ten days of the dispositive motion deadline, if no such motion is filed.

9      Saxon Contract: Trans Union shall produce a copy of its full and complete contract with Saxon, by August 2, 2007.

**SO ORDERED**, this 26th day of July, 2007.

  
HONORABLE W. DANIEL SCHNEIDER

Approved as to form:

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